

## HUMANIZE LAW, WILSON PLEA TO AMERICAN BAR

Justice Above Precedents—  
Root for Clearer and  
Fewer Statutes.

### TRUST BILLS UPHOLD SHERMAN ACT—TAFT

Washington, Oct. 20.—The American Bar Association held its annual convention in Washington today, with the President of the United States, the Chief Justice and Associate Justices of the United States Supreme Court, members of the Cabinet, the Diplomatic Corps and leaders of the bar from all parts of the country in attendance.

President Taft, who is the chief executive of the association, presided at the opening session. President Wilson delivered the address of welcome, and his impromptu remarks were regarded by many as the most remarkable he has made since he came to Washington. His brief address was a plea for the "humanization of the law." For the first time in a public address the President made a reference to the war, but it was of an indirect character.

Mr. Taft, in his address following that of the President, declared that the American people are back of the President in his handling of the international situation and that he has their confidence.

Mr. Taft pledged the earnest cooperation of the association and its deepest confidence in the President's ability and purpose to guide the nation through the present international crisis. In the evening Edwin R. Goddard delivered a notable address on the layman's criticism of the lawyer.

#### The President's Address.

President Wilson said in part:

"The opinion of the world is the mistress of the world; and the processes of international law are the slow processes by which opinion works its will. What impresses me is the constant thought that that is the tribunal at the bar of which we all sit. I would call your attention incidentally to the circumstances that it does not observe the ordinary rules of evidence; which has sometimes suggested to me that the ordinary rules of evidence had shown signs of growing antiquity.

"Everything, rumor included, is heard in this court, and the standard of judgment is not so much the character of the testimony as the character of the witness. The motives are disclosed, the purposes are conjectured, and that opinion is finally accepted which seems to be, not the best founded in law perhaps, but the best founded in integrity of character and of morals.

"What I wanted to suggest to this association in bidding them very hearty welcome to the city is whether we sufficiently and wisely share the same ideas of the character of the law which we seek to administer. Citations seem to play so much larger a part now than principle. There was a time when the thoughtful eye of the judge rested upon the charges of social circumstances and almost palpably saw the law arise out of human life.

"Have we got to a time when the only way to change law is by statute? The changing of law by statute seems to me the mending a garment with a patch; whereas law should grow by the life that is in it, not by the life that is outside of it.

#### Is Justice the Object?

"I once said to a lawyer with whom I was discussing some question of precedent and in whose presence I was venturing to doubt the rationality of a rule of the particular precedent he cited. 'After all, isn't our object justice?' and he said, 'God forbid. We should be very much confused if we made that our standard. Our standard is to find out what the rule has been and how the rule that has been applied to the case that is.'

"Understand me, gentlemen, I am not venturing in the presence of this august body of the law. For the present by the circumstances of the law, and it would be very awkward to disavow myself. But I do want to make this intimation that in this time of world change, in this time when we are going to find out just how, in what particulars and to what extent the real facts of human life and the real judgments of mankind prevail, it is worth while looking inside our municipal law and seeing whether the judgments of the law are made square with the moral judgments of mankind.

"I have in my life dealt with all sorts and conditions of men, and I have found that the flame of moral judgment burned just as brightly in the man of humble life and limited experience as in the scholar and the man of affairs. And I would like his voice always to be heard, not as a witness, not as speaking in his own case, but as if he were the voice of the law in general, in our courts of justice, as well as the voice of the lawyers, remembering what the law has been."

#### Taft on Trust Laws.

President Taft among other things discussed the legal effect of the trade commission and the Clayton bill. He said in part:

"While we stand aghast at this awful picture of blood, destructive of the happiness of Europe, we are profoundly grateful for our splendid isolation and the freedom from entangling alliances which Washington enjoined upon the American people. This saves us from sharing in the suffering and sorrow of the belligerents, but it does not, however, save us from burden.

"The overwhelming importance to us of being out of the struggle has led President Wilson to warn the American people in their public expressions and efforts to maintain, as far as possible, an impartial attitude, and in this appeal he should have the warmest approval and the sincerest cooperation of all of us.

"The most noteworthy national legislation of the year from the standpoint of the administration of justice is contained in the trade commission act and the so-called Clayton act. Together they affect several subject matters. They suppress existing statutes and general laws as to illegal trusts and monopolies in interstate commerce, and they deal with the application of the anti-trust act to labor associations, the issuing of injunctions in labor disputes in Federal courts, and the procedure for the punishment of contempt in a certain class of cases.

#### Sherman Act Stands.

"Both measures in the most painstaking way make clear that nothing in them is to vary the meaning of the two important sections of the anti-trust act. The application of the anti-trust act to labor associations, the issuing of injunctions in labor disputes in Federal courts, and the procedure for the punishment of contempt in a certain class of cases.

Oil and Tobacco cases when announced, and the threats of legislation to de throne reason in judicial construction as applied to trust law, we may still use in a normal way those mental processes with which nature has endowed us in attempting to find out what Congress means in these acts."

"In so far as the field of general interstate trade is within the practical range of supervision and regulation, the machinery here adopted, it seems to me, is as effective as any could be. The question whether the existing anti-trust law with its twenty years of construction by the Supreme Court was not sufficient, and the economic policy of adopting this close supervision and these inquisitorial methods in general business not charged with a public use, it is not my purpose here to discuss. I am only now concerned with the meaning of the new law and its effect upon the declarations of substantive law in the anti-trust acts.

"It is not germane to my purpose to discuss the effect of the prohibition of interstate commerce and the denunciation of Federal crimes of interstate commerce trust by those having control of interstate commerce carriers, except to say that the inconvenience they may cause to law-abiding business men of scrupulous honesty will be much more than offset by the substantial good they will do in protection of the public from illegal combinations and in the protection of confiding stockholders from being plundered.

#### Labor Has Been Favored.

"While the abuses of combinations of capital have properly aroused public alarm and evoked the most stringent laws to suppress them, the abuses growing out of the enormous power or combinations of labor which have been so manifest have not evoked the same regulative tendency. Persons subjected to illegal invasion of their rights by labor combinations have sought to protect themselves in the ordinary procedure in courts of justice, and in many instances this has been effective. Litigation of this kind has not always resulted in the right decision. Courts are a human instrument and they sometimes err, but a very few instances of error or injustice against trades unions have been sufficient basis to arouse great and disproportionate complaint and to bring to bear the most weighty political influence upon Legislatures to pass laws to prevent their recurrence even if they have to create a special class of litigants and to render them immune from the ordinary process in court to which every other citizen is subject."

Senator Root, speaking on the layman's criticism of the lawyer, said in part:

#### U. S. Standards High.

"We may challenge all records past and contemporaneous to show in the preservation of order, the security of property, the protection of individual liberty and the maintenance of the fundamental ideas of a system of jurisprudence that we have attained in the United States through the service of the American bench and the American bar. Their standards of probity and honor are high. The occasional deviations, which are inevitable among imperfect men, always come as a surprise and a shock to the community in which they occur.

"What can the bar do to improve the administration of justice in the United States? First, we can improve our law making. We make too many laws. Our national and State Legislatures passed 2,014 statutes during the five years from 1909 to 1913 inclusive. During the same five years 65,379 decisions of the national and State courts of last resort were reported in 620 volumes. Of these statutes 2,013 were passed by the national Congress, and of these decisions 1,961 were rendered by the Supreme Court of the United States.

"Many of these statutes are drawn haphazardly, carelessly, ignorantly. Their terms are so vague, uncertain, doubtful, that they breed litigation inevitably.

#### Useless Words, Useless Suits.

"There is a useless law suit in every useless word of a statute, and every loose, sloppy phrase plays the part of a time-wasting barrier. A good many American legislatures have already established reference libraries and some have established drafting bureaus.

"Another thing the bar can do is to simplify the procedure of our courts. Taking the country as a whole, judicial proceedings tend to become more complicated and technical. In some parts of the country, notably in my own State of New York, this tendency has already reached a point of serious abuse.

"The general result, however, is that in all litigation in these jurisdictions we have a vast multitude of minute, detailed, technical rules that must be followed—rules to catch the unwary; barbed wire entanglements; barriers which the subtle and adroit practitioner can interpose to hinder the pursuit of justice.

"While the law is enforced, justice is hindered. The suitor who is right in his case may be wrong in his practice. There is a premium on shrewd, ingenious, shifty attorneys.

"The process of piling up statutory rules has invaded Congress, and from many quarters efforts are coming to impose more and more specific rules upon the Federal courts. Such proposals are made by good lawyers, and they are made in good faith, but they are made without due consideration of the fact that each one is a step in the course of a vicious policy which ought not to prevail.

#### Tells of \$1,500,000 Hill Note.

Charles S. Mellen and Benjamin G. Ward testified before the Federal Grand Jury investigating the New Haven case yesterday. Mr. Ward's story concerned the purposes for which the \$1,500,000 note was issued by the late John P. Hill of Maine was used.

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## NO GOODS LEAVE THIS PORT FOR GERMANY

Exports of \$6,914,505 in September, 1913, Disappear This Year.

### RUSH OF OTHER NATIONS

Official figures issued yesterday, based on the commerce through the port of New York in September, show that not one dollar's worth of goods was shipped to either Germany or Austria. The exports to Germany in September last year were \$6,914,505 and to Austria \$1,161,925.

The figures of the Collector of the Port show that Norway and Sweden, Denmark, Holland, Greece and Italy, all neutral European neighbors of Austria and Germany, jumped their orders for American goods, some of them increasing to enormous figures as compared with last year's.

Of the \$6,914,505 of goods sent from the port in September, substantial amounts went to those countries. Exports to Denmark were almost four times those of September a year ago, namely \$2,043,621, as against \$533,976 of a year ago. Greece multiplied her orders by sixteen, taking \$2,847,568, against \$173,038; Norway increased her orders from \$634,247 to \$1,424,359. Other countries increased their buying as follows: Sweden, from \$539,870 to \$583,645; Holland, \$4,158,500 to \$4,288,861; Italy took \$2,033,569, as against \$2,884,589.

#### England's Share \$17,708,138.

Of the total exports from the port in September \$29,539,377 went to Europe, as against \$44,039,290 in September, 1913. There was imported \$40,163,895 worth of goods from Europe, as against \$61,612,740 in September, 1913. The total imports for the month amounted to \$77,092,565 from all countries, as against \$96,611,635. The total exports to all countries were \$60,488,690 in comparison with \$73,274,114. The balance against the port for September this year was \$16,514,075, whereas last year the balance was \$22,737,121.

England took merchandise in September valued at \$17,708,138, as against \$14,770,698 last year. Ireland, which bought only \$23,683 worth of goods in 1913, took \$753,482 this year. There came from England to this port last September, however, \$18,559,324 in comparison with \$15,681,434 last year.

This country took from Ireland goods amounting to \$2,243,820. United States trade with South America was affected by the war. While imports from the Latin American countries did not vary much in the two years, the exports decreased from \$10,107,618 to \$6,687,887. Argentina took about one-half as much goods as in September of last year. Brazil and Chile fell off in almost the same proportion.

Heavy falling off of imports at this port from Germany and Austria is shown in the Collector's figures. Germany's exports of \$12,006,737 last year fell to \$1,443,793; Austria from \$1,240,666 to \$55,914. Imports from Germany were \$72,380, against \$65,675 the year previous; Greece, \$143,938, against \$212,845; Italy, \$3,062,792, against \$9,016,081; The Netherlands, \$3,632,222, against \$3,119,493; Norway, \$73,274, against \$29,195.

France has suffered heavily in her trade with this country. Imports here from France declined from \$13,484,249 to \$4,810,325. France was the largest source of war materials, exports from New York remaining practically the same at \$5,733,310 for the last month, a variation of but \$8,000 increase.

The plight of Belgium is hinted at in the figures, which show that from Belgium imports fell off from the flourishing trade of a year ago amounting to \$3,614,450, to \$745,541. On the other hand exports to Belgium amounted to only \$4,569, against \$1,737,382 a year ago.

Russia sent this country a trifling amount of goods, \$22,067, against \$99,372 a year ago. It bought little here, the purchases amounting to only \$207,543, against \$1,128,076.

The flourishing condition of Cuba as the result of the sugar boom is shown in the big increase in imports from there. These amounted to \$12,269,283, an increase of more than \$5,000,000. All the West Indies were good for imports. The Philippines scored a good gain in products sent to New York, amounting to \$3,128,144, a gain of about \$2,000,000.

The trade of British India with this port decreased from \$1,198,621 to \$347,359.

#### Supplies for Use in War.

That many of the exports through this port to France and Russia were supplies for use in the war is an open secret among export merchants. While some goods went to those countries in September much more is being shipped at present. The Barber Line steamer *Sergus* will sail to-night on to-morrow for Archangel, Russia, laden with large quantities of barbed wire, blankets, horseshoes, small arms and automobiles.

Experts who analyzed the figures of exports and imports for September and who know something about the situation prophesied yesterday that the exports from this port for the present month would exceed the imports, and that from now on the balance of trade would be in favor of this port.

## U. S. RESERVE BANKS WILL OPEN NOV. 16

New Currency System to Be Put  
in Actual Operation  
Then.

### BANKERS IN CONFERENCE

WASHINGTON, Oct. 20.—Monday, November 16, is the date set for the opening of the Federal reserve banks. Secretary McAdoo announced today that the new currency system would be put in operation on that date.

The announcement was enthusiastically received by the directors and officers of the reserve banks, who had been invited to Washington for their first general conference with the Federal Reserve Board.

Mr. McAdoo does not expect that the reserve banks will be ready to undertake all of their functions under the new system on November 16, but they will be able to make a substantial start.

Eighty-one directors and officers of the Federal reserve banks attended the conference with the Reserve Board. The eight members of the advisory committee of experts, who have submitted a plan of preliminary organization, also joined in the meeting.

The conference was held in the rooms of the Comptroller of the Currency, Secretary McAdoo presiding. Mr. McAdoo, in his address of welcome, emphasized the importance of developing enthusiasm for their work, first because it involved many new and difficult problems and second because the country expected much from the new system.

After setting November 16 as the day of opening, Mr. McAdoo said that no elaborate system was to be expected at the opening, but it would be necessary to prepare to receive reserve deposits from the banks and to have the redemptive machinery ready for such part of the reserve as would be paid in by the banks.

In view of the great public demand for early opening it had been thought desirable that committees with representation from each bank should consider the various problems and if possible reach conclusions which they would submit to this conference at a subsequent session; and that after the approval by the conference of these reports uniform action might be suggested by the board to the several banks.

The governor of the Federal Reserve Board then said that the board did not want in any way to prejudice the findings or the conclusions which they would submit to this conference at a subsequent session; and that after the approval by the conference of these reports uniform action might be suggested by the board to the several banks.

#### Two More Bills to Aid Money Situation

Extension of Loan Limits by Changing Reserve Act Is Proposed.

### MEASURE TO HELP COTTON

WASHINGTON, Oct. 20.—Important legislation designed to improve the financial and commercial situation brought on by the war is proposed in two bills reported to the House today by the Committee on Rules.

One of the bills provides for important changes in the Federal reserve act calculated to relieve the money situation. The other bill provides for Federal inspection of cotton and grain warehouses, thus giving receipts which are issued upon such products a negotiable status in banks of national currency associations that they do not now possess.

The bill proposing changes in the Federal reserve act also provides for the issuance of \$250,000,000 in currency or an issue of \$240,000,000 of Panama Canal bonds, the proceeds of which are to be used in relieving the situation in the South.

This was included in the measure because Representative Henry and his followers would have sought to tie up the other legislation which is desired by the Administration unless the cotton bond or currency issue plan was laid before the House for a vote. This President and the Secretary of the Treasury are against it, and it will probably be defeated.

The two bills were reported to the Committee on Rules. This rule was reported immediately after the action of the House in sending the war revenue bill to conference. The rule was debated for a brief time and then a point of no quorum was made by Representative Buckley of Ohio, a Democrat, who is opposed to Federal aid for the cotton planters.

Mr. Buckley's point, made early in the afternoon, resulted in the House being held up until late in the day. When a quorum was obtained the House proceeded to a discussion of the rule. This discussion over Representative Glass of Virginia, an opponent of the cotton currency proposal, made another point of no quorum. A roll call disclosed the presence of 168 members, 47 less than a quorum.

The House thereupon adjourned until to-morrow, when it is expected the finishing touches will be put on the revenue bill, the cotton currency proposal and the proposed changes in the Federal reserve act.

The changes in the Federal reserve act authorized by the bill reported to the House are of great importance to bankers and business men. One of them provides that the amount that may be loaned on commercial paper may be 100 per cent. of the unimpaired capital and surplus of a member bank instead of 30 per cent., the limit now fixed by law.

Another amendment not touched by the rule, but which will be offered by Chairman Glass of the Banking and Currency Committee, relates to acceptances based on the imports or exports. Under the present law member banks may loan 50 per cent. of their paid up capital and surplus on such acceptances.

The day's debate in the House foreshadowed the defeat of the cotton currency and bond plan incorporated in the rule. The indications are that the proposed changes in the Federal reserve act will be adopted primarily for the reason that they are approved by the Federal Reserve Board and by Mr. McAdoo.

It is known that the views in opposition to the cotton currency proposition are shared by President Wilson and by Senator Simmons, chairman of the Committee on Finance.

An agreement by to-morrow on the war revenue bill seems to be assured. The conferees on the bill were in session last afternoon and until late to-night. The principal controversy was in regard to the tax on beer.

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#### THOMAS A. EDISON

Today all Americans join in honoring their illustrious countryman, Thomas A. Edison, not only for his achievements in science and invention, but also for his interest in the betterment of conditions for the entire human race. Mr. Edison's ability to quickly recognize innovations and inventions of merit is shown by his interview given the New York Times, Sunday, 11 October, 1914. He says: "The elimination of all stimulant would be a fine thing for the race. I lately have been using a coffee from which the caffeine has been extracted before it goes into the coffee-pot, and it has been a distinct advance."

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